

Government in the Sunshine Act would be improperly disclosed.

**M. Rebecca Winkler,**

*Committee Management Officer.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. STN 50-454 and STN 50-455]

### Commonwealth Edison Company; Notice of Withdrawal of Application for Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of the Commonwealth Edison Company (ComEd, the licensee) to withdraw its August 19, 1996, application for proposed amendments to Facility Operating License Nos. NPF-37 and NPF-66 for the Byron Station, Units Nos. 1 and 2, located in Ogle County, Illinois.

The proposed amendments would have revised the Byron, Unit 1, Technical Specifications (TS) to extend, for one additional operating cycle, the steam generator tube voltage-based repair criteria presently in the Byron, Unit 1, TSs.

The Commission had previously issued a Notice of Consideration of Issuance of Amendments published in the **Federal Register** on February 12, 1997 (62 FR 6570). However, by letter dated April 29, 1997, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendments dated August 19, 1996, and the licensee's letter dated April 29, 1997, which withdrew the application for license amendments. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Byron, Public Library District, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010.

Dated at Rockville, Maryland, this 14th day of May 1997.

For the Nuclear Regulatory Commission.

**M.D. Lynch,**

*Senior Project Manager, Project Directorate III-2, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-255]

### In the Matter of Consumers Power Company; (Palisades Plant); Exemption

I

Consumers Power Company (CPCo, the licensee) is the holder of Facility Operating License No. DPR-20 which authorizes operation of the Palisades Plant. The Palisades facility is a pressurized water reactor located at the licensee's site in Van Buren County, Michigan. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

II

In 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," paragraph (a), in part, states that "The licensee shall establish and maintain an onsite physical protection system and security organization which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety."

In 10 CFR 73.55(d), "Access Requirements," paragraph (1), It specifies that "The licensee shall control all points of personnel and vehicle access into a protected area." Also, 10 CFR 73.55(d)(5) requires that "A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort." It further states that individuals not employed by the licensee (e.g., contractors) may be authorized access to protected areas without escort provided that the individual, "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area \* \* \*."

The licensee proposes to implement an alternative unescorted access system that would eliminate the need to issue and retrieve picture badges at the entrance/exit location to the protected area and would allow all individuals, including contractors, to keep their picture badges in their possession when departing the Palisades site.

III

Pursuant to 10 CFR 73.5, "Specific exemptions," the Commission may,

upon application of any interested person or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest. According to 10 CFR 73.55, the Commission may authorize a licensee to provide alternative measures for protection against radiological sabotage provided the licensee demonstrates that the alternative measures have the same "high assurance" objective, that the proposed measures meet the general performance requirements of the regulation, and that the overall level of system performance provides protection against radiological sabotage equivalent to that which would be provided by the regulation.

Currently, unescorted access into the protected area of Palisades for both employee and contractor personnel is controlled through the use of picture badges. Positive identification of personnel who are authorized and request access into the protected area is established by security personnel making a visual comparison of the individual requesting access and that individual's picture badge. In accordance with 10 CFR 73.55(d)(5), contractor personnel are not allowed to take their picture badges off site. In addition, in accordance with the plant's physical security plan, the licensee's employees are also not allowed to take their picture badges off site.

The proposed system will require that all individuals with authorized unescorted access have the physical characteristics of their hand (hand geometry) registered with their picture badge number in a computerized access control system. Therefore, all authorized individuals must not only have their picture badge to gain access to the protected area, but must also have their hand geometry confirmed. All individuals, including contractors, who have authorized unescorted access into the protected area will be allowed to keep their picture badges in their possession when departing the Palisades site.

All other access processes, including search function capability and access revocation, will remain the same. A security officer responsible for access control will continue to be positioned within a bullet-resistant structure. A numbered picture badge identification system will continue to be used for all individuals who are authorized access to the protected area without escorts. Badges will continue to be displayed by